

resident of St. Paul, if not, by one publication as aforesaid," and strike out the words, "six days' publication."

Also amend said act by adding to section thirty-two the following, to-wit: All notices under this act required or which may or is to be given under this act by publication, shall be deemed sufficient and legal, if published on the regular publication day of said official paper, and Sunday shall be considered a day and be counted for the purposes of this act. Nothing in this act shall invalidate any assessment or other proceedings heretofore had or pending under any previous act.

Section forty-one is hereby so amended as to read as follows: Ten cents costs shall be laid to each lot against which judgment is rendered, five cents to be for clerk's fees and five cents for advertising the notice of sale.

SEC. 3. The compensation of each member of said board shall be fixed by the common council from time to time, but in no case shall it exceed six hundred dollars per annum, except as to the president of said board, who may be allowed eight hundred dollars per annum.

SEC. 4. All acts and parts of acts inconsistent with the provisions of this act are hereby repealed.

SEC. 5. This act to take effect and be in force from and after its passage.

Approved February 21, 1873.

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## CHAPTER XL.

AN ACT IN RELATION TO THE ERECTION OF PUBLIC BUILDINGS FOR THE USE OF THE CITY OF ST. PAUL AND THE COUNTY OF RAMSEY, UPON BLOCK TWENTY (20) OF ST. PAUL PROPER, KNOWN AS THE COURT HOUSE SQUARE, IN THE SAID CITY OF ST. PAUL.

*Be it enacted by the Legislature of the State of Minnesota:*

SECTION 1. That on or before the first day of May, eighteen hundred and seventy-three, (1873,) five persons, residents and freeholders of said county of Ramsey, shall be chosen by the judge of the district court and the judge of the common pleas court, as special commissioners, to carry into effect the purpose of this act; and all vacancies by resignation or otherwise, shall be filled by the judges

aforesaid. Each of said special commissioners shall give bond running jointly to the said city of St. Paul, and the board of county commissioners of the county of Ramsey, in the sum of twenty thousand dollars, (\$20,000,) with such surety or sureties as may be approved by the judge of the district court, or court of common pleas, of said county, conditioned for the faithful performance of his duties, and for the due application and accounting of, and for all moneys which he may receive by virtue of his office; and the omission to give such bond for ten days after the appointment of such special commissioner, shall render his office vacant. Said bonds shall be filed and recorded in the office of register of deeds of said county.

SEC. 2. Said special commissioners shall organize by appointing one of their number chairman, and one of their number secretary, but no act of said special commissioners shall be valid unless concurred in by at least three of their number. They shall also have power to pass by-laws for the regulation of their business and for the conduct of their meetings. They each shall be entitled to compensation at the rate of three dollars (\$3.00) per day for every day's actual employment.

SEC. 3. Said special commissioners shall, as soon as practicable after their organization, cause to be prepared suitable plans for a building to be erected on block twenty (20) of St. Paul proper, known as the court house square, in said city of St. Paul, for the use of said city and county, for a city hall and county court house, and for offices for the city and county officers, and such other public uses as may be deemed expedient, and submit the same to the said board of county commissioners of said county and said common council of said city, or to either of said bodies, with a careful and detailed estimate of the cost thereof. Upon the approval by both of said bodies aforesaid of any such plan, or upon the modification by said bodies of any such plan, and the final order of both of said bodies to proceed with the work, the said special commissioners shall let the work, or such part of it as they may deem expedient, and place the same under contract, as hereinafter stated.

SEC. 4. The said special commissiqners shall, before letting said work, advertise in the official newspaper of said city for proposals or bids for all or any portion of the work or materials, or both, to be done and furnished in the construction thereof, and may, in addition to the said official newspaper, also advertise for such proposals or bids in such other newspaper or newspapers as they may deem expedient, and for such length of time as they shall determine. The lowest bidder or bidders shall be accepted, provided he or they will enter into such bond and give such security for the performance of is or their contract as may be required by said commissioners; *And provided further*, That the said commissioners shall have power to

reject all bids of incompetent or irresponsible persons, or such bids as may be unreasonable. All contracts aforesaid shall be in writing, and executed in behalf of said county and city, jointly, by a majority of said commissioners, and countersigned by the county auditor of said county and the controller of said city; and the contractor for said work or materials, or any part thereof, shall give such bond with such surety or sureties for the faithful and due performance of his contract, as said commissioners may require. All bonds herein required aforesaid, shall run to the said board of county commissioners of the county of Ramsey and the city of St. Paul.

SEC. 5. The said work shall be conducted and completed under the direction, superintendence, and to the satisfaction of said special commissioners, and shall be paid for, together with the expense of said commission, equally by said county of Ramsey and city of Saint Paul respectively; that is to say, half thereof out of the treasury of said county, and half thereof out of the treasury of said city, as the work progresses, by appropriations made in that behalf by the said board of county commissioners of said county, and by the said common council of said city, upon estimates and statements certified by a majority of said special commissioners.

SEC. 6. When said work or materials, or any part thereof, shall be placed under contract, the said city of Saint Paul and county of Ramsey shall hold the land occupied and needed for said building, together with the building which may be thereon erected, in common, and for the public uses aforesaid; and the said board of county commissioners of said county of Ramsey is hereby empowered and required to convey to the said city of Saint Paul, an undivided one-half of all the estate, right, title, and interest of said county in and to so much of said land as may be occupied and needed by said building. The said building shall be in charge of a joint committee of six, half of whom shall be appointed by the said common council from their number, and half of whom shall be appointed by the said board of county commissioners of said county from their number, from time to time, and in such manner as each of said bodies respectively may determine. And the expense of keeping the said building in repair shall be paid equally by said city and county; that is to say, half thereof out of the treasury of said county, and half thereof out of the treasury of said city.

SEC. 7. For the purpose of aiding in the construction of said building, the common council of said city are hereby empowered to issue the bonds of said city to the amount of one hundred and twenty-five thousand dollars (\$125,000), and the board of county commissioners of the county of Ramsey aforesaid, are hereby authorized to issue the bonds of said county to the amount of one hundred and twenty-five thousand dollars. Said bonds shall bear interest at

the rate of seven per cent. per annum, payable semi-annually; and the principal thereof shall be payable in thirty (30) years from their date; and the principal and interest, or either, may be made payable in the city of New York or in the city of Saint Paul, or in both places; said bonds may be issued in denominations of three hundred dollars, (\$300) five hundred dollars, (500) and one thousand dollars, (\$1,000) with or without interest coupons attached; but none of said bonds shall be negotiated or sold for less than ninety (90) cents on the dollar. The said board of county commissioners shall annually levy a sufficient tax upon the taxable property in said county for the purpose of paying the interest and of providing for a sinking fund to pay the principal of said bonds issued by said county; and the said common council of said city shall levy annually a sufficient tax upon the taxable property in said city, to pay the interest and provide a sinking fund to pay the principal of said bonds issued by said city. *Provided*, The proposition to issue bonds shall be submitted to a vote of the electors of Ramsey county at the next annual election, November, eighteen hundred and seventy-three. The ballot to be used thereat shall have printed or written thereon, or partly written or printed, the words, "For the issue of bonds to build court house;" or the words, "Against the issue of bonds to build court house." Said votes shall be canvassed in the same manner as votes for city or county officers are canvassed and the result thereof announced. And if upon such official canvass it be found that a majority of all votes at said election are in favor of the issuance of said bonds, then the issue of said bonds shall be lawful, and said bonds so issued shall be lawful to all intents and purposes.

SEC. 8. Public notice of the proposition [aforesaid] to be voted upon shall be given by the clerk of the common council of Ramsey county, and the auditor of said Ramsey [county], at least ten days before holding said election. *Provided*, A failure on part of either or both of said officers to give such notice shall not invalidate such election.

SEC. 9. This act shall take effect from and after its passage.

Approved March 8, 1873.